

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Skidmore, *et al.*

Serial No.: 10/632,491

Filed: July 31, 2003

Confirmation No.: 4397

Group Art Unit: 1732

Examiner: Daniels, Matthew J.

Docket No. 190514-1020

For: **Masonry Unit Manufacturing Method**

STATEMENT OF THE SUBSTANCE OF THE INTERVIEW

Mail Stop - Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

The Interview Summary mailed December 19, 2006 (Paper No. 20070118) has been carefully considered. Pursuant to MPEP Section 713.04 and 37 C.F.R. 1.133, Applicants provide this Statement of the Substance of the Interview and respectfully request consideration of the same. A phone interview was conducted on January 18, 2007, between Applicants' representatives David Rodack (USPTO Reg. No. 47,034) and Examiner Matthew J. Daniels. During this phone discussion, no exhibits or other demonstrations were presented, and no claims or amendments were discussed. There was a brief discussion with Applicants' representative raising awareness that the Advisory Action mailed on December 19, 2006 incorrectly indicated that the period for reply expired on the 3-month date from the mailing date of the final Office Action. As recited in the Interview summary (Paper No. 20070118), Applicants representative further explained that the Response to final Office Action was mailed within the 2-month date for reply to the final Office Action, that the Advisory Action was received after the 3-month date from the mailing date of the final Office, and that the box that should have been checked in the Advisory Action was box

(1)(b) corresponding to the period for reply expiring on the mailing date of the Advisory Action. Applicants' representative further explained that the time extension is determined based on the period expiring on December 19 (the mailing date of the Advisory Action), and hence a reply filed on January 19th should only require payment of a time extension of 1-month pursuant to the instructions for time extension calculations shown under section (1)(b) of the Advisory Action. Examiner Daniels indicated that an Interview Summary would be forthcoming confirming that an error indeed did occur as to the proper period for reply checked in the Advisory Action. Examiner Daniels indicated, as reflected in the Interview Summary, that Applicants are entitled to a refund. Additionally, Examiner Daniels suggested that any response be filed with the extension fee based on the currently checked box, and that Applicants seek a refund after filing the response. Applicants' representative indicated that they would seek a refund after a response is filed. Applicants note that a Notice of Appeal was filed on January 19, 2007. Applicants again wish to express their thanks for Examiner Daniels' cooperation and helpful assistance in this matter.

/dr/

David Rodack
Registration No. 47,034

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